

STATE OF INDIANA                    )  
  )ss  
COUNTY OF LAKE                    )        SITTING IN \_\_\_\_\_, INDIANA

KYLIE WARNER, individually and as )  
Parent and Natural Guardian of )  
LAYLA DIAZ-O'CONNELL, a minor, )

Plaintiff, )

vs. )

TARGET STORES, INC. )

Defendant. )

CAUSE NO:

45D10-2104-CT-000366

### COMPLAINT

Comes now, Plaintiff Kylie Warner individually and as parent and natural guardian of Layla Diaz-O'Connell, a minor by counsel Law Office of David Gladish, P.C. by David S. Gladish and Mark J. Schocke and hereby asserts the following cause of action against the Defendant Target Stores, Inc. as follows:

1. Plaintiff Kylie Warner is an adult resident of the Town of Munster, Lake County, State of Indiana.
2. Plaintiff Layla Diaz-O'Connell is a minor child who resides with her mother, Kylie Warner, in the Town of Munster, Lake County, Indiana.
3. Defendant Target Stores, Inc. is a foreign for-profit corporation doing business in the Town of Munster, Lake County, State of Indiana.
4. On or about March 20, 2021, Plaintiffs were business invitees of Target Stores, Inc. located at 8005 Calumet Avenue in the Town of Munster, Lake County, State of Indiana.
5. That Defendant owed Plaintiffs a duty of care which included providing safe ingress and egress while Plaintiffs were on the Defendant's property.

6. That Defendant proceeded to breach the duty of care it owed to the Plaintiffs by allowing a dangerous condition to exist on the property.

7. That as a direct and proximate result of the Defendant's negligence as aforesaid, Plaintiff Layla Diaz-O'Connell, was violently hit on the head and fell to the ground resulting in severe personal injuries requiring medical care and attention along with the incidental and consequential expenses involved therewith.

8. That while the Plaintiff Layla Diaz-O'Connell a minor was convalescing from her injuries, she has suffered emotional distress, as well as loss of enjoyment of life.

9. That Plaintiff Kylie Warner, was present and in the zone of danger when her minor child was seriously injured and causing a great deal of emotional distress which was inflicted upon her by Defendant.

10. That Plaintiff Kylie Warner was also required to extend resources to pay for the medical care and treatment of her child by a direct and proximate result of the Defendant's actions as outlined above.

WHEREFORE, Plaintiff, Kylie Warner, individually and as parent and natural guardian of Layla Diaz-O'Connell, a minor respectfully requests judgment against Defendant Target Stores, Inc. in an amount of money that will adequately compensate them for the injuries and damages they have sustained, continue to sustain, for costs of this action and for all other just and proper relief in the premises.

**JURY DEMAND**

Plaintiff demands trial by jury.

/s/ Mark J. Schocke

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